

weight and center of gravity are calculated from values established by actual weighing of the aircraft within the preceding 36 calendar months.

(b) Paragraph (a) of this section does not apply to—

(1) Aircraft issued an original airworthiness certificate within the preceding 36 calendar months; and

(2) Aircraft operated under a weight and balance system approved in the operations specifications of the certificate holder.

### **Subpart D—VFR/IFR Operating Limitations and Weather Requirements**

#### **§ 135.201 Applicability.**

This subpart prescribes the operating limitations for VFR/IFR flight operations and associated weather requirements for operations under this part.

#### **§ 135.203 VFR: Minimum altitudes.**

Except when necessary for takeoff and landing, no person may operate under VFR—

(a) An airplane—

(1) During the day, below 500 feet above the surface or less than 500 feet horizontally from any obstacle; or

(2) At night, at an altitude less than 1,000 feet above the highest obstacle within a horizontal distance of 5 miles from the course intended to be flown or, in designated mountainous terrain, less than 2,000 feet above the highest obstacle within a horizontal distance of 5 miles from the course intended to be flown; or

(b) A helicopter over a congested area at an altitude less than 300 feet above the surface.

#### **§ 135.205 VFR: Visibility requirements.**

(a) No person may operate an airplane under VFR in uncontrolled airspace when the ceiling is less than 1,000 feet unless flight visibility is at least 2 miles.

(b) No person may operate a helicopter under VFR in Class G airspace at an altitude of 1,200 feet or less above the surface or within the lateral boundaries of the surface areas of Class B, Class C, Class D, or Class E airspace

designated for an airport unless the visibility is at least—

(1) During the day— $\frac{1}{2}$  mile; or

(2) At night—1 mile.

[Doc. No. 16097, 43 FR 46783, Oct. 10, 1978, as amended by Amdt. 135-41, 56 FR 65663, Dec. 17, 1991]

#### **§ 135.207 VFR: Helicopter surface reference requirements.**

No person may operate a helicopter under VFR unless that person has visual surface reference or, at night, visual surface light reference, sufficient to safely control the helicopter.

#### **§ 135.209 VFR: Fuel supply.**

(a) No person may begin a flight operation in an airplane under VFR unless, considering wind and forecast weather conditions, it has enough fuel to fly to the first point of intended landing and, assuming normal cruising fuel consumption—

(1) During the day, to fly after that for at least 30 minutes; or

(2) At night, to fly after that for at least 45 minutes.

(b) No person may begin a flight operation in a helicopter under VFR unless, considering wind and forecast weather conditions, it has enough fuel to fly to the first point of intended landing and, assuming normal cruising fuel consumption, to fly after that for at least 20 minutes.

#### **§ 135.211 VFR: Over-the-top carrying passengers: Operating limitations.**

Subject to any additional limitations in § 135.181, no person may operate an aircraft under VFR over-the-top carrying passengers, unless—

(a) Weather reports or forecasts, or any combination of them, indicate that the weather at the intended point of termination of over-the-top flight—

(1) Allows descent to beneath the ceiling under VFR and is forecast to remain so until at least 1 hour after the estimated time of arrival at that point; or

(2) Allows an IFR approach and landing with flight clear of the clouds until reaching the prescribed initial approach altitude over the final approach facility, unless the approach is made with the use of radar under § 91.175(i) of this chapter; or